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23 **UNITED STATED DISTRICT COURT**
24 **CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

25 SWEET PEOPLE APPAREL, INC.
26 d/b/a MISS ME, a California
27 corporation, et al.,

28 Plaintiffs,

v.

29 PHOENIX FIBERS, INC., an
30 Arizona corporation, et al.,

31 Defendants.

32 Case No. 2:16-cv-00940-TJH-JC

33 Hon. Terry J. Hatter, Jr.

34 **DEFENDANT PHOENIX FIBERS,
35 INC.’S APPENDIX OF EVIDENCE**

36 **VOLUME 1 OF 2 – EXHIBITS A-**

37 *[Notice and Motion and Motion;
38 Memorandum of Points and Authorities;
39 Statement of Uncontested Facts;
40 [Proposed] Judgment and [Proposed]
41 Order Filed Concurrently Herewith]*

42 Date: January 30, 2017
43 Time: Under submission
44 Location: Courtroom 9B
45 First Street Courthouse

**APPENDIX IN SUPPORT OF PHOENIX FIBERS MOTION FOR
SUMMARY JUDGMENT OR, IN THE ALTERNATIVE,
PARTIAL SUMMARY JUDGMENT**

<u>TAB</u>	<u>DESCRIPTION</u>	<u>APP</u>
A	Declaration of Tod Kean in Support of Defendants' Motions for Summary Judgment	APP-0001 – APP-0005
B	Declaration of Steven Johnson in Support of Defendants' Motions for Summary Judgment	APP-0006 – APP-0010
C	Declaration of Christopher Maciel in Support of Defendants' Motions for Summary Judgment	APP-0011 – APP-0017
D	Excerpts from the Deposition of Lisa Song	APP-0018 – APP-0052
E	Excerpts from the Deposition of Lilly Kim	APP-0053 – APP-0096
F	Excerpts from the Deposition of Felipe Salgado	APP-0097 – APP-0117
G	Excerpts from the Deposition of Tiffany Wolff	APP-0118 – APP-0123
H	First Amended Complaint [Docket #32]	APP-0124 – APP-0149
I	http://crossroadstrading.com/about-us/	APP-0150 – APP-0157
J	http://cherryconsign.com/	APP-0158 – APP-0161
K	http://www.buffaloexchange.com/about-us/	APP-0162 – APP-0164
L	http://ragstock.com/about/	APP-0165 – APP-0167
M	Digging for Diamonds: A Conceptual Framework for Understanding Reclaimed Textile Products	APP-0168 – APP-0181
N	PHX001387-PHX001388	APP-0182 – APP-0183
O	PHX001389-PHX001417	APP-0184 – APP-0212

<u>TAB</u>	<u>DESCRIPTION</u>	<u>APP</u>
P	Lisa Song LinkedIn Profile [Deposition Exhibit 65]	APP-0213 – APP-0215
Q	November 3, 2011 Email from Lisa Song to Matt@PHXFibers [Deposition Exhibit 67]	APP-0216 – APP-0217
R	December 3, 2015 Email from Felipe Salgado to Lilly Kim [Deposition Exhibit 31]	APP-0218 – APP-0219
S	December 4, 2015 Email from Bahram Reihan to CustomerCare@rockrevival.com [Deposition Exhibit 32]	APP-0220 – APP-0221
T	Phoenix Fibers webiste [Deposition Exhibit 38]	APP-0222
U	January 18, 2012 Certificate of Recycle [Deposition Exhibit 39]	APP-0223
V	January 16, 2016 Plaintiff RCRV Objections and Responses to Defendant Phoenix Fibers, Inc.'s First Set of Interrogatories [Deposition Exhibit 56]	APP-0224 – APP-0246
W	January 16, 2016 Plaintiff Sweet People Apparel Objections and Responses to Defendant Phoenix Fibers, Inc.'s First Set of Interrogatories [Deposition Exhibit 57]	APP-0247 – APP-0269
X	February 26, 2015 Invoice from C.H. Robinson Worldwide, Inc. to Sweet People Apparel [Deposition Exhibit 44]	APP-0270 – APP-0272
Y	June 15, 2015 Invoice from C.H. Robinson Worldwide, Inc. to Sweet People Apparel [Deposition Exhibit 48]	APP-0273 – APP-0275

<u>TAB</u>	<u>DESCRIPTION</u>	<u>APP</u>
Z	September 1, 2015 Invoice from C.H. Robinson Worldwide, Inc. to Sweet People Apparel [Deposition Exhibit 49]	APP-0276 – APP-0277
AA	September 1, 2015 Invoice from C.H. Robinson Worldwide, Inc. to Sweet People Apparel [Deposition Exhibit 50]	APP-0278 – APP-0279
BB	September 15, 2015 Invoice from C.H. Robinson Worldwide, Inc. to Sweet People Apparel [Deposition Exhibit 51]	APP-0280 – APP-0282
CC	October 1, 2015 Invoice from C.H. Robinson Worldwide, Inc. to Sweet People Apparel [Deposition Exhibit 52]	APP-0283 – APP-0284
DD	October 19, 2015 Invoice from C.H. Robinson Worldwide, Inc. to Sweet People Apparel [Deposition Exhibit 53]	APP-0285 – APP-0286
EE	November 7, 2011 Email from Lisa Song to Matt Graham and Steve Kim [Deposition Exhibit 71]	APP-0287 – APP-0288
FF	November 4, 2011 Email from Matt Graham to Lisa Song [Deposition Exhibit 69]	APP-0289
GG	US General Export Shipping Documents [Deposition Exhibit 1]	APP-0290 – APP-0313
HH	August 20, 2016 Defendant U.S. General Export, Inc.'s Responses to Defendant Phoenix Fibers' Request for Admission	APP-0314 – APP-0320

<u>TAB</u>	<u>DESCRIPTION</u>	<u>APP</u>
II	June 16, 2016 Plaintiff RCRV Objections and Responses to Defendant Phoenix Fibers, Inc.'s First Set of Request for Admission	APP-0321 – APP-0336
JJ	June 16, 2016 Plaintiff Sweet People Apparel, Inc. Objections and Responses to Defendant Phoenix Fibers, Inc.'s, First Set of Request for Admission	APP-0337 – APP-0352
KK	June 1, 2016 Defendant Phoenix Fibers, Inc.'s Responses to Plaintiff Sweet People Apparel, Inc.'s First Set of Interrogatories [Deposition Exhibit 8]	APP-0353 – APP-0363
LL	Articles of Incorporation of Phoenix Fibers Inc. [Deposition Exhibit 15]	APP-0364 – APP-0372
MM	http://www.missme.com/categories/jeans	APP-0373 – APP-0381
NN	http://www.rockrevival.com/categories/men/jeans and http://www.rockrevival.com/categories/women	APP-0382 – APP-0391

20 DYATED: December 30, 2016

HAYNES AND BOONE, LLP

21 By: /s Kenneth G. Parker
 22 Kenneth G. Parker
 23 Attorneys for Defendant
 24 PHOENIX FIBERS, INC.
 25
 26
 27
 28

CERTIFICATE OF SERVICE

I, the undersigned, declare that I am over the age of 18 years and not a party to the within action. I am employed in the County of Orange, State of California, within which county the subject service occurred. My business address is 600 Anton Boulevard, Suite 700, Costa Mesa, California 92626.

On December 30, 2016, I served the following document described as: **DEFENDANT PHOENIX FIBERS, INC.'S APPENDIX OF EVIDENCE – VOLUME 1 – EXHIBITS A-** on the interested parties in this action in the manner identified below:

[XXX] **BY ELECTRONIC FILING.** I caused such document(s) to be electronically filed and served through the United States District Court's CM/ECF System for the within action. This service complies with the Federal Rules of Civil Procedure. The file transmission was reported as complete and a copy of the Court's Notice of Electronic Filing will be maintained with the original document(s) in our office. Participants in the case who are registered CM/ECF users will be served by the District CM/ECF System.

I declare that I am employed in the offices of a member of the bar of this Court at whose direction this service was made, and that this service complies with the Federal Rules of Civil Procedure.

Executed on December 30, 2016, at Costa Mesa, California.

/s Breean Cordova
Breean Cordova